

## Current Update: Pseudoephedrine Control in Oklahoma

New legislation may be introduced next year in the Oklahoma House of Representatives that would require Oklahoma citizens seeking pseudoephedrine (PSE) tablets to have a prescription.<sup>1</sup> The intent of such further restriction on the chemical precursor to methamphetamine is aimed at curbing meth production in the state of Oklahoma. The timing coincides with the advent of a new method of production, especially in the Tulsa area, called “shake and bake” which requires much fewer PSE tablets than previous popular methods.<sup>2</sup>

Current talk centers on moving pseudoephedrine from its current schedule V, behind-the-counter class to a schedule IV, with some talk at possibly even moving PSE to a schedule II controlled substance which would give more control over sale and distribution of PSE. Obviously, moving PSE to a schedule II would require consumers to obtain a prescription from their physician, which cannot be called in to the pharmacy, and would be not be eligible for refills without a new hardcopy script. However, there may limited support in the Oklahoma Legislature for 2010 to move PSE to prescription only, whether it be by Schedule II or IV!

It is worth noting that in 2004 Oklahoma was the first state in the nation to place regulations on the sale of PSE and has implemented an electronic tracking system of PSE purchases that has been in place since 2006. Since state restrictions on sales and the tracking system were enacted there has been a decrease in the number of clandestine methamphetamine lab incidents in the state of Oklahoma from 894 in 2003 to 89 in 2007. Oklahoma is also already fighting a prescription drug abuse problem statewide.<sup>3</sup>

Other states, including California and Missouri, have ongoing debate, working toward tighter legislative restrictions on sale of PSE. Similar recent restrictions on PSE purchase can be seen in the state of Oregon, where PSE is currently a schedule three controlled substance. Oregon still faces a large meth problem<sup>4</sup>, though meth lab incidents have decreased (from 189 in 2005 before the stricter law was enacted to 20 in 2007)<sup>5</sup>. In the United States, as a whole, the Drug Enforcement Agency (DEA) continues to fight meth trafficking from imported sources, such as Mexico.<sup>6</sup>

The Oklahoma House Judiciary Committee has already conducted an interim study to develop possible legislation for next year’s session.

Also, information from OBN indicates that a separate measure is in the works to create a meth registry add-on to the existing PSE tracking program which would block sale of PSE to those with meth convictions. Additionally, the new BIRTH DATE requirement that took effect in November has already blocked many sales.

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